

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

CRP.No. 762 of 2006()

OS.7/2002 of I ADDL. DISTRICT COURT, KOLLAM
.....

REVN. PETITIONER: PETITIONERS/DEFENDANTS 1,2,3,6,7,8,9,10,12,22 & 23

1. MURARI S. @ L.SAIJU,
S/O.LAKSHMANAN, AKKAVILA VEEDU,
ERAVIPURAM VILLAGE,
(PRESIDENT, SREE SARAVANA TEMPLE,
ERAVIPURAM).
2. N.MANILAL, VAZHAYIL VEEDU,
VALATHUNGAL C WARD, ERAVIPURAM VILLAGE,
(VICE PRESIDENT, SREE SARAVANA TEMPLE,
ERAVIPURAM).
3. N.ANILKUMAR, NADAKAVIL VEEDU,
VALATHUNGAL C WARD, ERAVIPURAM VILLAGE,
(SECRETARY, SREE SARAVANA TEMPLE, ERAVIPURAM).
4. K.VASANTHAKUMAR,
KARUNA, ERAVIPURAM, KOLLAM.
5. K.SIVAPRASAD, MULLAKKARA VEEDU,
ERAVIPURAM, KOLLAM.
6. SULABHA, MANGUZHI VADAKKATHIL,
ERAVIPURAM, KOLLAM.
7. SHINU BABU S., VAZHAYIL VEEDU,
ERAVIPURAM, KOLLAM.
8. RAJEESH R.C., THOPPIL VEEDU,
ERAVIPURAM, KOLLAM.
9. SHAJI, ARADHANA,
ERAVIPURAM, KOLLAM.
10. RAJIDHARMAN C.,
R.S.BHAVAN, ERAVIPURAM,
KOLLAM-11.
11. ANILKUMAR G., G.S.BHAVAN,
ERAVIPURAM P.O., KOLLAM.

BY ADV. SRI.ANIL K.NARENDRAN

RESPONDENTS: PLAINTIFFS AND DEFENDANTS 4,5,11,13 to 21,24 & 25:

1. V.V.SYAM, S/O.VELAYUDHAN,
KAILAS, VALATHUNGAL C WARD,
ERAVIPURAM VILLAGE, KOLLAM.
2. SATHYADAS, S/O.DAMODHARAN,
KUTTAMANGALATHU VEEDU,
VALATHUNGAL C WARD, ERAVIPURAM VILLAGE,
KOLLAM.
3. R.UDAYAKUMAR, UDAYA,
VADAKKUMBHAGAM CHERRY,
ERAVIPURAM VILLAGE, KOLLAM.
4. MOHANDAS, S/O.SIVADASAN,
VANCHIYIL, VADAKKUMBHAGAM CHERRY,
ERAVIPURAM VILLAGE, KOLLAM.
5. HARI R., LAKSHMI MANDIRAM,
ERAVIPURAM, KOLLAM.
6. SAJEEV V., KRISHNA VILASAM,
VALATHUNGAL P.O., ERAVIPURAM,
KOLLAM.
7. JOSHI, J.J.BHAVAN,
ERAVIPURAM, KOLLAM.
8. RAJAN N., THEKKEVILAYIL,
ERAVIPURAM P.O., KOLLAM.
9. SOORAJ S., VELIYIL VEEDU,
ERAVIPURAM, KOLLAM.
10. MADHAVAN, KUNNATHUKAVU TEMPLE,
ERAVIPURAM P.O., KOLLAM.
11. AJAYAGHOSH, BUNGLOWIL,
ERAVIPURAM P.O., ERAVIPURAM,
KOLLAM.
12. DILEEP T., VELIYIL KIZHAKKATHIL,
VALATHUNGAL P.O., ERAVIPURAM,
KOLLAM.
13. GIREESH KUMAR K.,
KALIYILAVAYALIL VEEDU, VALATHUNGAL P.O.,
ERAVIPURAM, KOLLAM.
14. AJITH, VANCHIYIL,
ERAVIPURAM, ERAVIPURAM, KOLLAM.
15. BAIJU P.R., PARNASALA,
ERAVIPURAM, KOLLAM.

16. RAVI, KASIVAYALIL THODU,
VALATHUNGAL, ERAVIPURAM,
KOLLAM.

R1 & 2 BY ADV. SRI.B.SURESH KUMAR
R6,10,12,16 BY ADV SMT.K.GIRIJA

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 23/07/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

M.N.KRISHNAN, J.

C.R.P.No. 762 OF 2006 B

Dated this the 23rd July, 2007.

O R D E R

This civil revision petition is filed against the order of the I Additional District Judge, Kollam in O.S.7/2002. The suit relates to a temple and a draft scheme has been framed and the point of difference between the parties is only regarding the name to be given to the temple. The revision petitioners would contend that the name of the temple should be Sree Saravana Temple, Eravipuram whereas the other side would contend that it must be Vanchiyil Sree Saravana Temple or Vanchikovil Sree Saravana Temple. The objection by the revision petitioners is that the attempt is made to give the family name of the persons and it should not be permitted. Now the question to be resolved is the name to be given to the temple by permitting the parties to adduce evidence in support of their respective contentions. Large number of photo copies of document for and against have been produced before this Court. This Court, sitting in the revisional jurisdiction cannot decide the question because it requires evidence. I am informed that there are cassettes and other documents which also has to be looked into. Therefore, the order under challenge is set aside to the extent that it relates

to the name of the temple and the court below is directed to permit both parties to adduce both oral and documentary evidence in support of their respective contentions and thereafter decide on the basis of the evidence and on satisfaction, what is the name to be given to the temple. For that purpose the case is remitted back to the court below and the court is directed to dispose of the matter within a period of three months from today. Parties are directed to appear before the court below on 18.8.2007. C.R.P is disposed of accordingly.

M.N.KRISHNAN
Judge